

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

GLORIA JEAN DIXON,)
Plaintiff,)
V.) Civil No. **02-1208-CJP¹**
ILLINOIS DEPARTMENT OF)
NATURAL RESOURCES, et al.,)
Defendants.)

JURY INSTRUCTION ORDER

PROUD, Magistrate Judge:

This matter is before the Court for purposes of case management. The Court **ORDERS** the parties confer (in person, or by telephone or video conference) prior to trial for the purpose of expediting the instruction of the jury as to the law of the case. The Seventh Circuit Federal Jury Instructions – Civil (“7th Circuit Instructions”) should be used when applicable; otherwise, the Illinois Pattern Jury Instructions (“IPI”) should be used. If neither the 7th Circuit Instructions nor the IPI contain an instruction on a subject, the parties shall propose an instruction that is simple, brief, impartial, and free from judgment.

Preliminary Jury Instructions: The Court will prepare and give the following paragraphs taken from the Sample Preliminary Instructions found in the appendix to the 7th Circuit Instructions: Introductory Paragraphs, Order of Trial, Burden of Proof – Preponderance, Evidence in the Case, Credibility of Witnesses, Direct and Circumstantial Evidence, Inferences,

¹In accordance with 28 U.S.C. § 636(c), upon the written consent of the parties, U.S. District Judge Michael J. Reagan referred this action to the undersigned Magistrate Judge for all further proceedings and final resolution. (**Doc. 66**).

What is Not Evidence/Evidence for a Limited Purpose, Note-Taking – Allowed, Questions by Jurors – Permitted, and Jury Conduct. The Court **ORDERS** the parties to submit any additional preliminary instructions, including but not limited to the sample instruction paragraph regarding Claims and Defenses, on or before the first day of jury selection. Any objection to any preliminary instruction shall be brought to the Court's attention prior to the selection of the jury.

Closing Jury Instructions: The Court will prepare and give the following 7th Circuit Instructions, which shall be referred to as Court's Instructions 1 through 13: 1.01, 1.02, 1.05, 1.06, 1.07, 1.08, 1.11, 1.12, 1.13, 1.17, 1.27, 1.32 (modified for a single verdict form) and 1.34. The Court **ORDERS** the parties to submit any additional closing jury instructions on or before the first day of jury selection.

All jury instructions shall include (1) two paper copies of each identified instruction, (2) one clean, unidentified copy of each instruction, and (3) one electronic copy adaptable to WordPerfect 5.1 or greater on a 3.5 inch computer disc or via electronic mail to CJPpd@ilsd.uscourts.gov. Any party citing a case, either in objections or as support for a proposed instruction, shall provide a copy of the case cited. This copy should be separate from the instruction itself.

IT IS SO ORDERED.

DATED: January 5, 2006

s/ Clifford J. Proud
CLIFFORD J. PROUD
U. S. MAGISTRATE JUDGE